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Mamoud Sadre
165 Tremont Street
Boston MA 02111

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OFFICE OF PETITIONS

In re Application of	:	
Sadre	:	
Application No. 09/640,272	:	ON PETITION
Filed: August 17, 2000	:	
Attorney Docket No.	:	

This is a decision on the petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed on December 22, 2011.

The petition is **GRANTED**.

The record reflects that a non-final Office action (the "Notice") was mailed March 13, 2003, allowing a shortened statutory period for reply of three months from its mailing date. A response was not received within the allowable period, and the application became abandoned on June 14, 2003. A Notice of Abandonment was mailed October 17, 2003.

Petitioner maintains that a response to the non-final Office action was filed prior to the abandonment of the application. Petitioner states that the response was in form of several continuation-in-part applications.

A review of the application file history and USPTO records indicates that the first of four continuation-in-part applications was filed on July 8, 2003, and accorded application serial number 10/615,217. The continuation-in-part application was accompanied a request for extension of time within the first month. Accordingly, the filing of the continuation-in-part application on July 8, 2003, is a proper and timely reply to the non-final Office action mailed March 13, 2003. Based on the aforementioned, it appears that the application was improperly held abandoned as a response was received prior to expiration of the maximum statutory period for reply. The holding of abandonment is withdrawn, accordingly.

With continuity having been established between the above-cited application and application serial number 10/615,217, the application is again abandoned in favor of the continuation-in-part application. This decision should not be interpreted as stating that continuity is established between the subject application and the other three continuation-in-part applications: 10/659,517, 10/719,843, or 10/770,131.

In re Application No. 09/640,272

Further inquiries regarding this decision may be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions